

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____
v. : **DATE FILED:** _____
JOHNNIE BALLARD : **VIOLATIONS:**
: **18 U.S.C. § 371 (conspiracy – 1 count)**
: **18 U.S.C. § 922(a)(1)(A) (dealing in firearms**
: **without a license – 1 count)**
: **Notice of forfeiture**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Frank's Gun Shop & Shooting Range, LLC, located at 4730 Blakiston Street, Philadelphia, Pennsylvania, 19136, possessed a federal firearms license ("FFL") and was authorized to deal in firearms under federal laws.
2. Wista Inc. / King Shooters Supply, located at 346 East Church Road, King of Prussia, Pennsylvania, 19406, possessed a FFL and was authorized to deal in firearms under federal laws.
3. Surplus Arme, located at 1101B Elsinore Place, Chester, Pennsylvania, possessed a FFL and was authorized to deal in firearms under federal laws.
4. FFL holders are licensed, among other things, to sell firearms and ammunition. Various rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, govern the manner in which FFL holders are permitted to sell firearms and ammunition.

5. The rules and regulations governing FFL holders require that a person seeking to purchase a firearm fill out a Firearm Transaction Record, ATF Form 4473 ("Form 4473"). Part of the Form 4473 requires that the prospective purchaser certify that all of his or her answers on Form 4473 are true and correct. The Form 4473 requires that the prospective purchaser certify truthfully, subject to penalties of perjury, that he or she was the actual buyer of the firearm. The Form 4473 contains the following language in bold type: **"Warning: You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you."** In the certification section of the Form 4473, the actual buyer must certify that his or her answers to the questions on the form are "true, correct, and complete," and acknowledge by his or her signature that "making any false oral or written statement . . . is a crime punishable as a felony under Federal law, and may also violate State and/or local law."

6. FFL holders are required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder, including the buyer's home address and date of birth, to ensure that the person was not prohibited from purchasing a firearm. For example, convicted felons are persons prohibited by law from buying firearms.

7. A person who purchases a firearm at the behest of another person and falsely states on the Form 4473 that he or she is the actual buyer of the firearm is known as a "purchaser."

8. From in or about June 2020 through on or about November 20, 2020, in the Eastern District of Pennsylvania, and elsewhere, defendant

JOHNNIE BALLARD

conspired and agreed with Person #1 and Person #2, known to the grand jury, and others unknown to the grand jury, to commit an offense against the United States, that is, to make a false statement with respect to the information required to be kept in the records of a federally licensed firearms dealer, in violation of Title 18, United States Code, Section 924(a)(1)(A).

MANNER AND MEANS

It was part of the conspiracy that:

9. Defendant JOHNNIE BALLARD persuaded Person #1 and Person #2, and others, unknown to the grand jury (hereafter the “straw purchasers”), to purchase firearms for defendant BALLARD.

10. Defendant JOHNNIE BALLARD arranged the payment for the firearms purchased by the straw purchasers, took the straw purchasers to the federally licensed firearms dealers, directed the straw purchasers to buy firearms specified by defendant BALLARD, and took immediate possession of the firearms after they were acquired by the straw purchasers.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its objects, the following overt acts, among others, were committed in the Eastern District of Pennsylvania, and elsewhere:

1. On or about June 25, 2020:

a. Defendant JOHNNIE BALLARD travelled with Person #1 to Frank’s Gun Shop in Philadelphia to purchase firearms.

b. At defendant JOHNNIE BALLARD’S direction, Person #1 purchased a Taurus G2S, 9x19mm semi-automatic pistol, bearing serial number ABE615718, and a Taurus G2S, 9x19mm semi-automatic pistol, bearing serial number ABE615735, and provided the firearms to defendant BALLARD.

2. On or about July 2, 2020:

a. Defendant JOHNNIE BALLARD travelled with Person #2 to Frank's Gun Shop in Philadelphia to purchase firearms.

b. At defendant JOHNNIE BALLARD'S direction, Person #2 purchased a Glock 19, 9x19mm semi-automatic pistol, bearing serial number BNLH711, and a Glock 44, .22lr semi-automatic pistol, bearing serial number AEKF450, and provided the firearms to defendant BALLARD.

3. On or about July 9, 2020:

a. Defendant JOHNNIE BALLARD travelled with Person #2 to Frank's Gun Shop in Philadelphia to purchase a firearm.

b. At defendant JOHNNIE BALLARD'S direction, Person #2 purchased a Glock 19 Gen5, 9x19mm semi-automatic pistol, bearing serial number BPLK017, and provided the firearm to defendant BALLARD.

4. On or about July 12, 2020:

a. Defendant JOHNNIE BALLARD travelled with Person #1 to Frank's Gun Shop in Philadelphia to purchase a firearm.

b. At defendant JOHNNIE BALLARD'S direction, Person #1 purchased a Glock, Model 48, 9x19mm semi-automatic pistol, bearing serial number BLWK857, and provided the firearm to defendant BALLARD.

5. On or about July 15, 2020:

a. Defendant JOHNNIE BALLARD travelled with Person #2 to Frank's Gun Shop in Philadelphia to purchase a firearm.

b. At defendant JOHNNIE BALLARD'S direction, Person #2 purchased a Glock 19, 9x19mm semi-automatic pistol, bearing serial number BPLC976, and provided the firearm to defendant BALLARD.

6. On or about July 25, 2020:

a. Defendant JOHNNIE BALLARD travelled with Person #2 to Frank's Gun Shop in Philadelphia to purchase firearms.

b. At defendant JOHNNIE BALLARD'S direction, Person #2 purchased a Glock 19X, 9x19mm semi-automatic pistol, bearing serial number BPNM340, and a Glock 17, 9x19mm semi-automatic pistol, bearing serial number BPKH677, and provided the firearms to defendant BALLARD.

7. On or about July 29, 2020:

a. Defendant JOHNNIE BALLARD travelled with Person #1 to Frank's Gun Shop in Philadelphia to purchase a firearm.

b. At defendant JOHNNIE BALLARD'S direction, Person #1 purchased a Glock, Model 34, 9x19mm semi-automatic pistol, bearing serial number BNGT952, and provided the firearm to defendant BALLARD.

8. On or about July 30, 2020:

a. Defendant JOHNNIE BALLARD travelled with Person #2 to Surplus Arme in Chester to purchase firearms.

b. At defendant JOHNNIE BALLARD'S direction, Person #2 purchased a Glock 48, 9x19mm semi-automatic pistol, bearing serial number BKXL121, and a FN America 509, 9mm semi-automatic pistol, bearing serial number GKS0106960, and provided the firearms to defendant BALLARD.

9. On or about August 7, 2020:

a. Defendant JOHNNIE BALLARD travelled with Person #2 to Frank's Gun Shop in Philadelphia to purchase a firearm.

b. At defendant JOHNNIE BALLARD'S direction, Person #2 purchased a Ruger 57, 5.7x28mm semi-automatic pistol, bearing serial number 641-40526, and provided the firearm to defendant BALLARD.

10. On or about August 14, 2020:

a. Defendant JOHNNIE BALLARD travelled with Person #2 to Frank's Gun Shop in Philadelphia to purchase a firearm.

b. At defendant JOHNNIE BALLARD'S direction, Person #2 purchased a Glock 43X, 9x19mm semi-automatic pistol, bearing serial number BPPN626, and provided the firearm to defendant BALLARD.

11. On or about August 20, 2020:

a. Defendant JOHNNIE BALLARD travelled with Person #1 to Frank's Gun Shop in Philadelphia to purchase a firearm.

b. At defendant JOHNNIE BALLARD'S direction, Person #1 purchased a Glock, Model 43, 9x19mm semi-automatic pistol, bearing serial number ADXC742, and provided the firearm to defendant BALLARD.

12. On or about August 21, 2020:

a. Defendant JOHNNIE BALLARD travelled with Person #2 to Frank's Gun Shop in Philadelphia to purchase a firearm.

b. At defendant JOHNNIE BALLARD'S direction, Person #2 purchased a Ruger 57, 5.7x28mm semi-automatic pistol, bearing serial number 641-38381, and provided the firearm to defendant BALLARD.

13. On or about September 5, 2020:

a. Defendant JOHNNIE BALLARD travelled with Person #1 to Frank's Gun Shop in Philadelphia to purchase a firearm.

b. At defendant JOHNNIE BALLARD'S direction, Person #1 purchased a Ruger, Model 57, 5.7x28mm semi-automatic pistol, bearing serial number 641-38412, and provided the firearm to defendant BALLARD.

14. On or about November 20, 2020:

a. Defendant JOHNNIE BALLARD travelled with Person #1 to King's Shooters Supply in King of Prussia to purchase firearms.

b. At defendant JOHNNIE BALLARD'S direction, Person #1 attempted to purchase a Glock, Model 19x, 9x19mm semi-automatic pistol, bearing serial number BRRE406, and a Glock, Model 43, 9x19mm semi-automatic pistol, bearing serial number AEYE301, for the purpose of providing the firearms to defendant BALLARD.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

From in or about June 2020 through in or about November 2020, in the
Eastern District of Pennsylvania, defendant

JOHNNIE BALLARD

willfully engaged in the business of dealing in firearms without being licensed to do so under the
provisions of Chapter 44, Title 18, United States Code.

In violation of Title 18, United States Code, Sections 922(a)(1)(A) and
924(a)(1)(D).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violation of Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D), set forth in this indictment, defendant

JOHNNIE BALLARD

shall forfeit to the United States of America, the firearms involved in the commission of such violation, including, but not limited to:

- 1) a Taurus, Model G2S, 9x19mm semi-automatic pistol, bearing serial number ABE615718;
- 2) a Glock 19, 9x19mm semi-automatic pistol, bearing serial number BNLH711;
- 3) a Glock 44, .22l semi-automatic pistol, bearing serial number AEKF450;
- 4) a Glock 19, Gen5 9x19mm semi-automatic pistol, bearing serial number BPLK017;
- 5) a Taurus, Model G2S, 9x19mm semi-automatic pistol, bearing serial number ABE615735;
- 6) a Glock, Model 48, 9x19mm semi-automatic pistol, bearing serial number BLWK857;
- 7) a Glock, 19 9x19mm semi-automatic pistol, bearing serial number BPLC976;
- 8) a Glock 19X, 9x19mm semi-automatic pistol, bearing serial number BPNM340;

- 9) a Glock 17, 9x19mm semi-automatic pistol, bearing serial number
BPKH677;
- 10) a Glock, Model 34, 9x19mm semi-automatic pistol, bearing serial number
BNGT952;
- 11) a Glock 48, 9x19mm semi-automatic pistol, bearing serial number
BKXL121;
- 12) a FN America 509, 9mm semi-automatic pistol, bearing serial number
GKS0106960;
- 13) a Ruger 57, 5.7x28mm, semi-automatic pistol, bearing serial number 641-
40526;
- 14) a Glock 43X, 9x19mm, semi-automatic pistol, bearing serial number
BPPN626;
- 15) a Glock, Model 43, 9x19mm semi-automatic pistol, bearing serial number
ADXC742;
- 16) a Ruger 57, 5.7x28mm semi-automatic pistol, bearing serial number 641-
38381; and
- 17) a Ruger 57, 5.7x28mm semi-automatic pistol, bearing serial number 641-
38412.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18,
United States Code, Section 924(d).

A TRUE BILL:



GRAND JURY FOREPERSON



**JENNIFER ARBITTIER WILLIAMS
ACTING UNITED STATES ATTORNEY**

Criminal No.

UNITED STATES DISTRICT COURT

Eastern District of Pennsylvania

Criminal Division

THE UNITED STATES OF AMERICA

vs.

JOHNNIE BALLARD

INDICTMENT

Counts

18 U.S.C. § 371 (conspiracy – 1 count)

18 U.S.C. § 922(a)(1)(A) (dealing in firearms without a license – 1 count)

Notice of forfeiture

A true bill.

Foreman

Filed in open court this 10 day,

Of November A.D. 20 21

Clerk

Bail, \$ _____
